

**SELECTED ISSUES CREATED BY THE
INITIATED MICHIGAN MEDICAL MARIHUANA ACT**

Gerald A. Fisher
fisherg@cooley.edu

June, 2011

- ◆ What is the real impact upon lives and futures of children: academically, socially, and occupationally
- ◆ Insufficient standards for determining:
 - Doctor-patient relationship
 - Who *should* be entitled to receive a certification/card.
- ◆ Definition of “compensation for costs” (can a caregiver make a “profit?”)
- ◆ What is an “enclosed, locked facility,” and who has access to it, “a” or “the” cultivating caregiver . . . patient
- ◆ Need to enforce plumbing, electrical, and fire codes
- ◆ Reconciling the legitimate concerns of all interested parties relative to the confidentiality provisions suppressing the name and location of operation of caregivers, leading to issues involving law enforcement and statutory conformance by caregivers.
- ◆ Proper standard for driving under influence of marihuana (pending case)
- ◆ Prohibition on patient-to-patient distribution (pending case)
- ◆ Other issues on the horizon related to medical marihuana use and authorization:
 - Exposure to federal prosecution
 - Medical marihuana in jails
 - Defendant on probation/parole
 - Children’s day care centers
 - Adult foster care homes
 - Nursing homes
 - Colleges and universities
 - School zones
 - Public place (where smoking med marihuana is prohibited)
 - Work-place
 - CCW Permits